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March 25, 2008

VIA FACSIMILE

Hon. Charles L. Brieant
United State District Judge
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: Freddy Morocho et al. v. George Kelly et al.
Index No. 07 Civ. 2979 (CLB) (MDF)

MEMO CASUATED
Appellate Court
to be read
March 26, 2008
Charles L. Brieant
USDC

Dear Judge Brieant:

We represent the Defendants in the above-referenced action. Discovery in this matter closed on March 14, 2008. Defendants intend to file a motion for summary judgment with regard to at least some of the Plaintiffs (based upon statute of limitations and other grounds). Earlier this month, however, Plaintiffs filed a motion to amend the complaint (which is currently returnable on April 11, 2008). Defendants respectfully requests that their time to serve a motion for summary judgment be extended until two weeks after a decision on the motion to amend is filed in order to avoid, among other things, the potential that Defendants would have to file the same motion twice. There has been no prior request for an extension of time regarding this issue.

Respectfully submitted,

Louis R. Satriale Jr.

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cc: Karen Zdanis, Esq. (via facsimile)
Counsel for Plaintiffs